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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,863	10/30/2003	Hiroyuki Nagano	024016-00072	6686
4372	7590	03/04/2008	EXAMINER	
ARENT FOX LLP 1050 CONNECTICUT AVENUE, N.W. SUITE 400 WASHINGTON, DC 20036			LEIVA, FRANK M	
			ART UNIT	PAPER NUMBER
			3714	
			NOTIFICATION DATE	DELIVERY MODE
			03/04/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DCIPDocket@arentfox.com

IPMatters@arentfox.com

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Office Action Summary

Application No.

10/695,863

Applicant(s)

NAGANO, HIROYUKI

Examiner

FRANK M. LEIVA

Art Unit

3714

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-9, 11 and 13-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 11 and 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 2 and 11 are objected to because of the following informalities: Claim 2 is showing dependent of claim 2, yet is stated as original disclosure, the examiner deems this to be a typographical error to mean dependent of claim 1 as originally stated. Claim 11 has a second "10" written in error. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. **Claims 1-3, 5-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koester et al (US 4,475,564) hereinafter K-564, in view of Carmichael (US 2002/0100659 A1), hereinafter Carmichael.**
4. Regarding combining Carmichael with K-564, they both present coin input assemblies for casino slot machines, Carmichael adds to this combination the forethought of installing part of the coin handling hardware to the inner section of the cabinet door frame.
5. **Regarding claim 1; K-564 discloses:** A gaming machine including:

A game medium insertion part through which a game medium is inserted in a cabinet, the game medium insertion part being provided in the cabinet, (fig. 1; coin entry 11).

A game medium accumulating part for accumulating the game medium inserted from the game medium insertion part In the cabinet, (fig. 1; hopper 16).

A straddling device for straddling the game medium inserted from the game

medium insertion part to one of the game medium accumulating part and a game medium paying out part, (fig. 1; diverter 12).

Wherein the straddling device includes; a straddling member rotatably supported in the cabinet, the straddling member having a first guiding part through which the game medium is guided to the game medium accumulating part and a second guiding part through which the game medium is guided to the game medium paying out part, (fig. 4; pivot point 39), to pivot is also rotating.

A driving device for rotating the straddling member; wherein the straddling member straddles the game medium to the game medium accumulating part through the first guiding part or to the game medium paying out part through the second guiding part, according to rotational state of the straddling member rotated by the driving device, (fig. 4; solenoid 32).

A retaining member installed adjacent to the game medium guide member in the frame; and support shafts formed on both side walls of the straddling member so as to outwardly project from the side walls, the support shafts being rotatably supported in the retaining member, (fig. 4; pivot 39), pivot point 39 is symmetrical along the diverter plate and attached to the side walls in order to support the mechanisms shown in figure 4.

Wherein the support shafts are positioned at a substantially right under position of a fall position of the game medium falling toward the straddling member, (fig. 1), figure 1 shows the diverter located directly under the coin entry shaft and directly above both return and hopper feed shafts so as to use gravity as the coin propulsion method.

K-564 fails to disclose the cabinet having a door and part of the assembly residing or attached to the door.

Carmichael discloses: The gaming machine further comprising: a door arranged in front of the cabinet so as to be able to open and close; a frame arranged at a rear side of the door, (fig. 2 and 3).

A game medium guide member arranged in the frame, (fig. 1; coin slot 48).

6. **Regarding claim 1;** it would have been obvious to one of ordinary skill in the art at the time of the invention to install K-564's diverter mechanism in Carmichael's door frame in order for an attendant to have easy access to the inside of the machine in order to maintenance the coin hopper, bill validator or power supply, for example. Using this type of door assembly in a gaming machine provides a predictable result maximizing space inside the cabinet. Moreover, a similar combination could be made with any of the ample examples of cabinets from before 1992 with the prior art IGT Fortune II uprights and the subsequent PE+ series machines.

7. **Regarding claim 2;** K-564 discloses wherein the driving device rotates the straddling member between a first rotational position and a second rotational position, wherein the straddling member straddles the game medium to the game medium accumulating part through the first guiding part while retained in the first rotational position by the driving device; and wherein the straddling member straddles the game medium to the game medium paying out part through the second guiding part while retained in the second rotational position by the driving device, (fig. 4).

8. **Regarding claim 3;** K-564 discloses wherein the gaming machine comprises: a first guide path for guiding the game medium inserted from the game medium insertion part to the straddling device; a second guide path for guiding the game medium to the game medium accumulating part from the straddling device; and a third guide path for guiding the game medium to the game medium paying out part from the straddling device, (fig. 1; 14, 15 and 19).

9. **Regarding claim 5;** K-564 discloses wherein the first guiding part formed in the straddling member comprises a part of the second guide path when the straddling member is retained to the first rotational position, (fig. 4), the coin in chute is split into two chutes, both made from the same original coin in chute.

10. **Regarding claim 6;** K-564 discloses wherein the second guiding part formed in the straddling member comprises a part of the third guide path when the straddling member is rotated to the second rotational position, (fig. 4), the coin in chute is split into two chutes, both made from the same original coin in chute.

11. **Regarding claim 7;** K-564 discloses wherein the first guiding part of the Straddling member is constructed of a tubular guiding part formed in the straddling member, (fig. 1 and 4), as viewed in figures 1 and more specifically figure 4, all the coin shafts or chutes are made in a square tubular covered manner.

12. **Regarding claim 8;** K-564 discloses wherein the tubular guiding part of the straddling member closes an opening of the third guide path when the straddling member is retained to the first rotational position, (fig. 4).

13. **Regarding claim 9;** K-564 discloses wherein the tubular guiding part of the straddling member closes an opening of the second guide path when the straddling member is retained to the second rotational position, (fig. 4).

14. **Regarding claim 11;** K-564 discloses further comprising:
extension parts each of which is extended from the side wall of the straddling member;
connecting hole formed in the extension part; a magnetic solenoid with a movable rod, the magnetic solenoid being installed in the retaining member; and a connecting shaft for connecting an end of the movable rod and the connecting hole; wherein the straddling member is rotated around the support shafts by moving the movable rod to magnetize the magnetic solenoid, (fig. 4).

15. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over K-564 as applied to claim 1 above, and further in view of Carmichael.

16. **Regarding claim 13;** K-564 discloses a coin counting sensor in claim 4, yet fails to disclose its placement, whereas Carmichael discloses further comprising: a detecting device for detecting whether the game medium is true or not, the detecting device being installed in the retaining member; wherein the straddling member is retained to the first rotational position by the driving device when the detecting device detects that the game medium is true, and wherein the straddling member is retained to the second rotational position by the driving device when the detecting device detects that the game medium is not true, (fig. 3; 108), an optical coin counter 108 located or attached above the diverter assembly.

17. **Regarding claim 13;** it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a coin sensor retained on the coin in assembly as described by Carmichael. Doing so enables a casino establishment to sort coin inputs to facilitate accounting procedures and to prevent thieves from inserting a cheating device into the coin slot of a gaming machine.

18. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over K-564 as applied to claim 1 above, and further in view of Official Notice.

19. **Regarding claim 14;** K-564 discloses wherein the straddling member is made of light hard synthetic resin material and is formed into one- piece construction, the examiner takes OFFICIAL NOTICE that the material of this product would be mainly design choice, from experience this diverter plate has been made of plastic by IGT on the first PE+ models and WMS makes it of metal for their 55X slots.

20. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koester et al (US 4,475,564) hereinafter K-564, in view of Koester et al (US 4,650,057) hereinafter K-057.

21. **Regarding claim 15;** K-564 discloses a gaming machine including:

A game medium insertion part through which a game medium is inserted in a cabinet, the game medium insertion part being provided in the cabinet, (fig. 1; coin entry 11).

A game medium accumulating part for accumulating the game medium inserted from the game medium insertion part in the cabinet, (fig. 1; coin entry 16, and fig. 3).

A straddling device for straddling the game medium inserted from the game medium insertion part to one of the game medium accumulating part and a game medium paying out part, (fig. 4).

A first guide path for guiding the game medium inserted from the game medium insertion part to the straddling device, (fig. 1; 13).

A second guide path for guiding the game medium to the game medium accumulating part from the straddling device, (fig. 1; 19).

A third guide path for guiding the game medium to the game medium paying out part from the straddling device, (fig. 1; 15).

A driving device for rotating the straddling member, (fig. 4; solenoid 32).

Wherein the driving device rotates the straddling member between a first rotational position and a second rotational position, wherein the tubular guiding part of the straddling member opposes to an opening of the second guide path and closes an opening of the third guide path while the straddling member is retained to the first rotational position by the driving device, thereby the game medium is straddled to the game medium accumulating part through the first guide path, the tubular guiding part and the second guide path, and wherein the tubular guiding part of the straddling member closes the opening of the second guide path while the straddling member is retained to the second rotational position by the driving device, thereby the game medium is straddled to the game medium paying out part through the first guide path, an outer wall of the tubular guiding part and the third guide path, (fig. 1 and 4), also as viewed in figure 4, all the coin shafts or chutes are made in a square tubular covered manner.

K-564 fails to disclose a tubular shaped diverter.

K-057 discloses wherein the straddling device includes; a straddling member rotatably supported in the cabinet, the straddling member having a tubular guiding part for guiding the game medium to the game medium accumulating part, (fig. 1; 14), whereas K-057 discloses a diverter and coin encoder assembly that is square and completely enclosed, in other words tubular.

22. **Regarding claim 15;** it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention and thus to Koester to make the diverter tubular for the purpose of attaching the coin sensing device. Doing so would guide the coin being sensed from a wider path to a narrower path as was necessary to sort the coins input into the coin slot.

Response to Arguments

23. Applicant's arguments with respect to claims 1-3, 5-9, 11 and 13-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANK M. LEIVA whose telephone number is (571)272-2460. The examiner can normally be reached on M-Th 9:30am - 5:pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FML 02/22/2008

/Scott E. Jones/

Primary Examiner, Art Unit 3714